App. F. IX-4

Previous References

1923-14/
(LB)

File No. 180-13

Serial Nos. 1

Later References

General and Revenue Secretariat.

Serial Nos. One

Part B for Feb 1917.

SUBJECT

Additional Financial Powers to the District Board

No orders.

21/3/29.

2134

G.R.S. 11] 1913-14

GENERAL AND REVENUE SECRETARIAT.

(LB.)

NOTES.

File No. 130/13

FILE HEADING.

Additional financial powers to the District Boards

From

The President District Board Hassan

No. 120/5 Dated 24.9.13 Received 28.9.13

Diary No. 2134	Enclos.	Spare Copies.	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

States with reference to para 39 of G.O. No 99 36-51/LB 64-12-3, dated 16th June 1913, that the limit of sanction within the powers of the Dt Bd in regard to works may be raised from Rs 500 to Rs 800 and that they may be allowed discretion to execute non-budgetted works.

NOTES AND ORDERS.

Q The proposal to enhance the sanctioned powers of the District Board was vetoed by Govt once before for reasons given in 8030-7/LB 289-06-2 dated 12th March 1907. It is a point for consideration whether Local self Govt has now sufficiently advanced to merit more financial powers.

NOTES—First Sheet.

GPB—35,000—15-6-12

2134 2

R. S. 12

General and Revenue Secretariat.

LB File No. 130 of 1913-14

Serial No.

2 As regards the discretion to sanction non-budgetted works it is apprehended that if the discretion is allowed, the budget programme will not be carefully prepared with due regard to the necessities of the local areas and will not be adhered to. The proposal was once before made and vetoed (Please see G.O. No. 6229/LB211-10 dated 24th Jan 1911).

Z. Meanwhile may the communications from the ~~other~~ other Presidents with reference to the order of 16th June 1913 be awaited?

R

KP 82
20.10.13 (11)

Yes. Meantime prepare a detailed Comparative note of the financial powers of the local Boards elsewhere.

I want it before 20.11.13.
Arm
21/10

Arm
21/10

A Separate note is put up.

KP 82
15.11.13 (11)

Note retained for further action. Await replies of other Dt. Boards

Arm
1/12

1.12.13

NOTE—Contn. sheet.

GIP—65,000—17-6-12.

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

The Divisional ~~Asst~~ Commr
& the Amildar.

Both the offices of President and Vice President are filled up by ex-officio members of Taluq Boards except in cases where the Amildar acts as President in Taluqs under the direct charge of the Dy Commr. In such cases the Vice President is elected.

But in Madras & Bombay one of the two offices is always occupied by a non-official elected for the place.

Unlike Madras and Bombay the Taluq Boards in Mysore have the Taluq medical and P.W. officers & the Sub Registrar as their members (Ex-officio).

The Taluk Boards in Mysore have ~~no~~ neither Corporate existence, ~~as in Madras and Bombay~~ those of; nor ~~have they~~ independent budgets and separate funds as ~~elsewhere~~ there in Madras & Bombay have

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

5

G.R.S. 13]

3

Routine Notes.

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Fund

The Taluq Boards have no separate funds of their own ~~as in Madras & Bombay~~ although ~~clause (g) of Rule 13 of the L.B. Rules lays down~~ that "Three fourths at least of the items of revenue raised in each Taluk (excluding House tax, License fees, Cattle pound receipts in Unions) shall ordinarily be available for expenditure within that Taluk".

The following are the items of revenue that constitute the Taluq funds in Madras & Bombay

Bombay Taluq Fund

1. Such portions of the net proceeds of fees fines & penalties under the Bombay Poisons Act, realized in the Taluq, as the collector directs.
2. The proceeds of all fees levied in the Taluq for permission to remove sand or to quarry
3. Such portion of the Cattle pound receipts accruing within the Taluq Bd area as may be placed by Govt to the credit of the fund.
4. all contributions from Govt or private persons for expenditure within the Taluq Bd area
5. All sums received by the Taluq Bd in the Taluq in the execution of the L.B. Act
6. The balance of the net proceeds of the local cess of the Taluq after deducting the allotment for educational purposes & for general charges of the Dt & maintenance of Dt roads

Madras Taluq Fund (Sec 56).

1. A sum not less than one half of the proceeds of the taxes levied by the Dt Bd in the Taluq
2. Any other sum forming part of the Dt fund as may be transferred to the Taluq Bd under the directions of the Governor in ~~Council~~ Council
3. The sale proceeds of all property vested in the Taluk Board wh may be sold under Orders

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4. all contributions received from other Local Boards or municipal councils.
5. The proceeds of all fees levied by the Taluq Bd under the Act
6. All other sums received by the Taluq Bd in trust for the purposes of the Act.

GDR—20,000—23-12-13

6 8

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Powers: The Taluq Boards, ~~though they~~ of Mysore are supposed to be the agents of the District Boards within the area comprising a Taluq Board they have not as yet been vested with specific powers. The Taluq Boards have no separate budgets. The Taluq Boards in Bombay are merely sub-committees of the District Board within the Taluq Bd area and execute the works and administer funds as per Taluq Board budgets approved by the District Boards. The working of the Taluq Boards in Bombay is not reported to be so successful as in Madras where the Taluq Boards being corporate bodies are delegated independent powers of local administration. The Taluq Boards of Mysore have no power to sanction estimates ~~for~~ even for works provided for in the budget

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GPB—20,000—23-12-13

G.R.S. 13]

Routine Notes.

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and have no powers of reappropriation.

Madras
New works upto a limit of Rs 2000
Repairs upto a limit of 10,000.

The Taluq Boards in Madras & Bombay have power to sanction estimates for budgetted works within certain limits and to appropriate funds from one head to another under the same major head subject to the approval of the ~~DB~~ :-

Further ~~some~~ the Taluk Boards in Madras, are invested with ~~the Taluq Boards~~ the powers of enforcing the provisions of the L.B. Regn in respect of Conservancy, water supply & other matters and ~~to power of~~ levying fees permissible under the Act and within the jurisdiction ~~the control of the~~ have also control over ~~Taluq Board and~~ their servants ~~are~~ ~~Vested in the District Board~~ Taluq

And ~~In fact~~ the District Boards of Madras ~~only~~ exercise only a general supervision over the work of the Taluq Boards to which independent powers of action are delegated.

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GPB—20,000—23-12-13

Comparative note of the financial powers of Local Boards in Madras & Bombay in re to Local Fund works

(1)

G.R.S. '13]

~~Routine Notes.~~

[To be used only for notes, requisitions, etc., not intended for permanent record.]

In Madras

The L.F. Budgets are sanctioned by Govt and after sanction, the budget programme should be closely adhered to. But if necessary, supplementary budgets may be sent up for sanction. Selection of budgetted works for execution, rests with the Local Boards

(2) In cases of emergency the President D.B. may arrange for the execution of a work in anticipation of sanction by competent authority

Govt sanction

(3) All new works of more than and such works of more than as relate to buildings or are of special character have to be sanctioned by the Superintending Engineer (Govt)

Article 459 of the Madras L.F. Code.

District Boards Sanction

(4) The District Boards are competent to sanction

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(5)

V

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

article 459 of the Madras L.F. Code.	(a) Estimates for new works upto a limit of Rs 5000 provided the work is not a building, a masonry work or is not of a special character. ~~in such cases~~. In these later cases the Dt Bds can sanction estimates only upto a limit of Rs 2500.
— do —	(b) All estimates for the repair of works not provided for by maintenance grants. But in the case of estimates exceeding Rs 10000 such sanction shall be immediately notified to and no action should be taken until a lapse of 15 days th
Taluq Board Sanction article 460 of the Madras L.F. Code.	(5) The Taluq Boards are competent to sanction estimates for new works upto a limit of Rs 2000 and in the case of repairs their powers are the same as in the case of Dt. Bds with this difference that the sanction of estimates exceeding Rs 2000 should be notified to Dt Bd and no action should be taken until a lapse of 7 days thereafter

N. B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

GPB—25,000—23-7-12

13

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

please see Secs: 54 - 57 both inclusive of the Bombay Local Boards Act.

In Bombay

(6) The District Boards sanction their own estimates and those of the Taluq Boards subject to the condition that a sum of not less than Rs 5000 in the case of District Boards and not less than Rs 2000 in the case of Taluq Boards is maintained as balance at the credit of the local board at the end of the year.

(7) Estimates for ~~ord~~ works - original & repairs - approved by the Board are provided in the Budget and the budget programme can not be departed from. But the Dt Bds are competent to sanction, if necessary a revised or supplementary budget at any time during the year and also to sanction ~~rep~~ reappropriation of budget provisions provided the prescribed minimum balance is maintained.

(8) In emergent cases non-budgetted expenditure

N. B.—Should routine notes be written on small slips, the notes must be copied or slips pasted on this form.

~~4~~ 13

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Sec 58 of the Bombay L B Act.

Please see table at the top of page 112 of Cummings Bombay L.F. Manual and articles 321 + 283 of the B.P.W Code As regards Civil works,

In British India the Executive Engineer may be authorized at the discretion of the local govts to sanction estimates costing Rs 2500 and below. + the Superintending Engineers upto a limit of Rs 50000 in regard to B.P.W works.

While according to the local orders in Mysore Executive Engineers are competent to sanction estimates to a limit of Rs 500 while estimates above Rs 500 upto a limit of Rs 2500 are sanctioned by Superintending Engineers.

may be incurred but the circumstances should be immediately reported by the President to the Collector with an explanation of the way in which the Board propose to cover the expenditure.

(9) Estimates of works costing Rs 500 and under are got up, approved and worked out by the Local Boards without reference to the Govt Engineering deptt while estimates of over Rs 500 and below Rs 2500 are got up and approved by the Govt Executive Engineer and worked out by the Local Board. Estimates of more than Rs 2500 are approved by the Govt Superintending Engineer & Executed by the Executive Engineer.

(10) In the case of a road of which the cost is to exceed on an average Rs 50 per mile the estimates have to be approved by the Govt Executive Engineer

K. Pandurangaiah

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—20,000—14-7-13

Draft amendment.

14

1. "Rs 1500" shall be substituted for "Rs 500" occurring in para 138 of the L.B. Rules.

2. The following shall be added to para 90 of the said Rules:-

"Provided that the concurrence of the Executive Engineer shall invariably be obtained for estimates of over Rs 500 and below Rs 1000 and that of the Superintending Engineer for works costing Rs 1000 and above."

This amendment will be more appropriate in Rule 87 instead of Rule 2 as now proposed. HM

NPS
5.3.14
B.S.

Hm

15 14

[illegible]

12]

General and Revenue Secretariat.	File No.	of 191

Serial No.

[illegible]

448/29-6-17 Secy minister

[illegible] 29/6/17

[illegible] 29/6-17

40. I think the many legislative provisions [illegible] so the rules require revision.

41. The whole body of rules may be simplified & brought with corrections according to the policy of simplification adopted in the Govt of Madras.

[illegible] 30.6

Let this be worked up early

[illegible] 30/6/17

[illegible] 30/6-17

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

File No. 16 Enhancing the powers of sanction of local Boards. of 191 .

Serial No.

1) The note put up by the office shows that ~~in the~~

in Madras, Govt sanction is required

A. only for (1) new works costing more than Rs 500 and (2) such works costing more than Rs 2500 as relate to buildings or are of a special character.

B. In the case of estimates for road maintenance costing more than Rs 10,000, sanction of Dt. Board should be notified to Govt and work commenced only if it is not vetoed by Govt within 15 days.

In Bombay, Govt sanction is required

A. only for works costing more than Rs 2,500.

B. Works above Rs 500/- and below Rs 2,500 are sanctioned by the Board with the concurrence of the Govt Ex: Engineer.

2) It has however to be noted that, in Madras, Dt Boards have an qualified Engineering establishment of their own, and that therefore the large powers of sanction vested in the Dt Boards there, cannot be given here.

But there is no reason why we should not follow the Bombay example, and raise the powers of sanction of Dt Boards from Rs 500 to say Rs 1,500 subject to the condition that the works above Rs 500/-

NOTE—Contn. sheet.

27 mins 923.

172.

G. R. S. 12]

General and Revenue Secretariat. | File No. of 191

Serial No.

should not be executed except with the concurrence of the ~~the~~ Superintending Engineer ~~of the Div.~~ Concerned, as he is the officer in the Mysore P.W.D. having powers of sanctioning works exceeding Rs 50. As most of these works are not

3) not so important as to be referred unofficially to the Chief Engineer for professional opinion in each case, they are being sanctioned as a matter of course, and therefore we shall be substituting a real effective check, if the above proposal be adopted, in the place of the nominal one now in vogue.

L 7. mins 923 of 13-14.

4) If approved, the Chief Engineer and the Comptroller will be consulted unofficially in the matter.

Dy Sect 5) Yes

Asst 27/1. Dmm 2/2

Acs no 163 of 2/2/14.

6) Forwarded unofficially to the Comptroller for favour of opinion.

By order.

Ayyamanathan
For Sec to Govt
S+R. Depts

2/2/14

COMPTROLLER'S OFFICE
CIVIL BRANCH,
- 3 FEB. 1914
BANGALORE.
MYSORE GOVT

R. 958 3-2-14

7) I see no objection to the course proposed being given a trial.

5/2/14

NOTE—Contn. sheet.

R 24174-2-14.

GPB—60,000—7-11-13

5/2/14

3/2

G. R. S. 12]

General and Revenue Secretariat.

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18/3

Serial No.

8) Forwarded to the Chief Engineer for favor of opinion

By order

11-2-14

For Secretary to Govt
Genl & Rev Deptts

No. no 172 d 12/2/14

Unoffl No 33
P.W.D
Dated 13th February 1914

9) The proposal may be tried, but it is a question whether all works costing above Rs 500 and up to Rs 1,000 should be carried out, as a rule, with the concurrence of the Superintending Engineer. Works costing Rs 1,000 and above may be referred to that officer and those of a purely ordinary type, even though above Rs 500, may be executed in consultation with the Executive Engineer.

Offg: Chief Engineer of Mysore.

Bangalore,

17th February 1914.

19/2/14

NOTE—Contn. sheet.

GPB—60,000—7-11-13

G. R. S. 12]

General and Revenue Secretariat.

File No. 27 mis 923 19 of 191

Serial No.

10) Submitted with the opinion of the Chief Engr. The proposal involves a modification of the existing rule regards the limit of sanctioning powers of the Dt Bds. If approved a suitable amendment will be incorporated in the revised rules now proposed and which are now in print.

KP 82 20.2.14

11) Suggest suitable amendment.

Arm 25/2

12) Submitted.

Paper under disposal

13) Draft amendment to the L.B. Rules is put up.

Paper under disposal

KP 82 5.3.14

14) If approved, the proposed amendment enhancing the powers of sanction of Dt Boards, on the analogy of powers of such bodies in Madras & Bombay, will be incorporated in revised rules now in the Govt Press for being set in type.

(Please vide paras 1 & 3 supra)

Para 7

Para 9.

15) Both the Comptroller & the Chief Engr are agreeable to the change. The Dt Boards will welcome the change, and a good deal of unnecessary correspondence will be saved.

Arm 7/3.

Sec^y

16) Please prepare a separate sanction for the revised rules for the Dt Bds for approval.

Arm 7/3

NOTE—Contn. sheet.

GPB—60,000—7-11-13

2124KP Vide separate sanction now issued.

L.P. No 923 20 (5

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Subp

Under para 138 of the L.B. Rules the District Boards are competent to sanction budgeted works only upto a limit of Rs 500 so that all estimates for works costing more Rs 500 should come up to Government.

In the absence of facilities for professional check in this office the estimates are either sanctioned as a matter of course or sent to the Chief Engineer's office for scrutiny. This procedure involves delay in sanctioning the estimate and involves unnecessary correspondence.

Both in Madras & Bombay the Local Boards have much larger powers than our D.B.s in the matter of sanctioning estimates.

It is therefore proposed to authorize our D.B.s to sanction estimates for civil works subject to certain restrictions.

Both the Chief Engineer and Controller have no objection to the proposal.

To give effect to the proposal L.B. Rules 90 & 138 require slight modification

Draft of necessary amendments is put up for approval

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—20,000—23-12-13

K.L.S.
25/8/14
B.S.

G. R. S. 12]

General and Revenue Secretariat.	File No.	of 191 .

Serial No.

flag L

17) ~~Pada~~ Submitted on a routine note

Sec^y)

(18) Please put up a copy of L.B. Rules proposed to be amended (The copy will soon be ready complete when submitting file.)

flag V. Give pp 16 & 22 for Rules 90 & 138 proposed to be amended.

19) A copy of the L.B. Rules is also put up herewith.

Sec^y)

20) I think that this was a matter taken up along with the question of the Constitution & powers of the Trust which is engaging attention as are the developments & organisation questions.

2nd member

21/24. This is being done

17/4

22 K.P. Please note & put up for next meeting

NOTE—Contn. sheet.

GPB—60,000—7-11-13

Branch 9023-14 22 7.

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.

23 Now that orders on the Local Self Govt. Scheme have been issued, this may, if deemed necessary, be transferred to the Special Duty office.

K.D.

14.12.16 If the grant of additional powers to the District Bds in regard to incurring expenditure without Govt. sanction does not appear to have been considered in the scheme of Local Self Govt.

Subs for orders.

BS 30/1 25 May be transferred to Spl. Officer

4/2-17

Rev. Secy.) 26 Vs 1.2.17.

L.S. of Misc 23-16. 27 Forwarded with compliments to the Revenue Secretary on Spl. Duty.

Bangalore 1-2.17

for order
to Secretary
in charge of Spl
Rev Dept

28 Heard Sri T B Vi Will Kindly bring this up for

NOTE—Contn. sheet.

L.S. Misc 923-1B
dt 9-3-16

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.

Permit discussion

PM 2/2/17

Please put a note

D.M. 2/2

29. Page 5 of these notes explains the facts of the case. The increased power to Dist. BDs discussed in this file has been sanctioned in G.O. No 3005-55 ml 132-16-1 dt 16.11.16. This will be taken up along with the other amendments to the rules under the L.B. Regulation.

HJK

15-2-1917 secy

30 Sub 2

D.M. 16/2

31 Yes

PM 16/2/17

D.M. 17/2

32. The following are the recommendations of the L.S.G. Committee generally approved by Govt in the matter of sanctioning estimates for works, executing works & payment for them.

(1) Dist. BDs may sanction estimates for new works up to a limit of Rs 1500 and for repairs up to Rs 2500.

(ii)

x. vide para 16(4) " 26 of this G.O.

Page 16! taken in conjunction with para 15

NOTE—Contn. sheet.

Serial No.

(ii) The Sub-Dist. Bd (Taluk Bd) may without reference to the Dist. Bd sanction estimates for works not exceeding Rs 500

(iii) In case a work has, in the opinion of the Sub-Dist Bd or Dist. Bd to be executed by the P.W.D. an application will be made to the Ex Engr through the President of the Dist Bd.

(iv) All payments for works not exceeding Rs 500 may be made by the Sub-Dist Bd President. All payments exceeding Rs 500 by the President of the Dist. Bd.

Revised Draft amending Rule 15 on points (i) & (ii) has been submitted separately for orders.

Rule 87 provides for the execution of works requiring a degree of professional skill, and under rule 89 the sanctioning authority may obtain from an officer of the P.W.D. professional opinion upon any work. Rule 112 lays down that all cheques shall be signed by the President of the Dist Bd.

35 The rules in Part V of

NOTE—Contn. sheet.

Serial No.

of the Rules under the L.B. Regn require a general revision with reference to the altered Status of Taluk Boards and the Constitution of Village Panchayats. Pending the passing of the Bill to further amend the L.B. Regn, the Comptroller may be requested to submit draft amendments to Part V of the rules in question for the consideration of Govt. It is also a point for consideration whether the account and other rules relating to Village Panchayats may not form a separate chapter.

34. Submit for orders.

H.W.

23/26 6 1917

35 Re the particular subject matter of this note viz increased powers of sanction to Dist Boards, a separate note with draft G.O. order in accordance with the recommendation of the L.S.G. Committee is under submn to Secy. Govt

36 In the above notes the question of increased power of

NOTE—Contn. sheet.

Serial No.

Sanction is mixed up with the question of professional scrutiny of Estimates by P.W.D. officers of varying ranks according to the amount of the Estimate. — The question of separate P.W.D. Establishments for Local Boards is reserved for consideration on receipt of proposals by the Boards (vide para 16 subpara 4 of the G.O. of 16th Nov. 16 on L.S.G. Scheme). Until ~~such~~ orders are passed the present system may continue so that for all purposes the file is disposed of & may be recorded.

Representation place a copy of the general G.O. for deep reference KB

vide Flag A.

37) The general question of revision of best rules & procedure in the rules under Sch. B Rep. may be referred to the Comptroller separately —

38) Not for orders KB 28/6-17

Rev Secy in Spl. Dep.

39. The question raised

WD 1233—GPB—60,000—1-12-16—S.

Serial No.

in this file arose on the remark made by Govt in para 39 of the GP of 16/6/13 calling for proposals from Presidents of Dt Boards only one President (that of Assam) seems to have replied

(40) After some noting, the matter was reserved for conversation with O & D questions (vide Minutes, Note of 17/4/14 on page 6 of this note)

(41) Afterwards (i.e. on 1/2/17) B. W. IV has

* Flag R.

^ & Note with the report of L.S. Committee Flag A

Serial No.

has referred it to the Special Staff Officer for the interval however, the rules under the L.B. Regtn have been revised & issued on Sept 1914 so the whole question arose on para 39 of the GP 516/4/13 & as the order of Govt on the L.S. & Scheme covers a wider point including this, this may be reviewed, the points raised in the rules being noted for consideration when dealing with the